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10/09



December 21, 2009

Senator Jeffery Schoenberg  
Representative Richard Myers  
Co-Chairs  
Commission on Government Forecasting and Accountability  
703 Stratton Office Building  
Springfield, IL 62706

VIA FAX: 217-782-3513

Dear Co-Chairs Schoenberg and Myers:

AFSCME Council 31 objects to the closure of 400 beds at Jessie Ma Houston ATC and the Kankakee Minimum Security Unit. Both facilities address the needs of low level offenders – exactly those individuals who, with the right combination of consequences and supports – could turn their lives around. We ask that the Department of Corrections' request for closure be rejected by the Commission.

We propose that the Department keep all 400 beds open. While there are significant financial and structural problems with the current Jessie Ma location, it can be relocated.

As those Commissioners who attended the recent COGFA public hearing on these closures will be keenly aware, these closures would violate the central mission publicly expressed by the Quinn Administration and the current leadership of DOC; a determination to improve prisoner reentry and reduce recidivism rates by concentrating on rehabilitation. In particular, the closure of the only female minimum security facility in the state prison system, and resulting placement of low-level female offenders in Dwight – which is a maximum security facility – will lead to negative outcomes for these offenders.

Closing these facilities would push our state further backward in efforts to redeem these individuals, and would condemn the communities where they reside to further crime.

We ask the Commission to reject the closures of both Jessie Ma Houston ATC and Kankakee MSU. At the same time the Commission should urge the Department of Corrections to back up its stated commitment to renewed efforts to rehabilitate inmates by investing in programming and services for low level offenders serving sentences in DOC facilities.

Sincerely,

Henry Bayer  
Executive Director

cc: COGFA members

Good afternoon. I am Ken Potocki, Regional Director for AFSCME Council 31 and our Union's chief liaison with the Department of Corrections. I am here today to express our Union's opposition to the closure of Kankakee MSU and to the reduction in ATC beds that would occur under the current closure plan for the Jesse "Ma" Houston ATC.

I am going to speak to specific issues we have with each closure. First I want to point out that it's unfortunate that we didn't have more information at the outset from the Department about the closures. Both closures are clearly driven by budget problems, not sound policy rationales. We requested more information about the impact of these closures weeks ago which we only received last night, suggesting that DOC initiated these closures without any clear idea of what the alternatives might be.

We are painfully aware that budget problems do exist. However, you are going to have even bigger budget problems if you eliminate programs like these with a proven track record for reducing recidivism. The Director of DOC speaks frequently about early release, and about diversion programs he hopes to create, and that he hopes will mean fewer inmates in the system. But right now we have facilities over capacity, understaffed and without sufficient counseling, education and other programming. The result is a high rate of recidivism. Simply releasing inmates before their sentences are completed will not reduce that rate unless there are structures in place to help these individuals to become productive members of their communities.

When you eliminate ATC beds, which prepare inmates for their release and get them ready for community living, that will mean greater reentry problems, not improvements. When you close a facility that houses women in a healing environment, where their family is free to visit frequently and where most are getting treatment for their addictions, you'll create rather than solve problems. That is especially true when you move those same women to facilities farther from their families--facilities which house more serious offenders without the same kind of therapeutic environment. You'll have more reentry problems, and that will cost more.

**Jessie "Ma" Houston:** This is a facility that prepares inmates for reentry into our communities. Director Randle, in a recent address to the John Howard Association, spoke of the importance of ATCs to the Department's program of improving inmate reentry into communities when they are released.

The Department's COGFA filing is confusing. The numbers it provides on ATC capacity are different than those the Department provides in its quarterly report to the legislature. The last such report DOC filed – for July, 2009 – showed ATCs for male offenders were operating at an average 93% of capacity, not the 81% of capacity the Department reports in its COGFA filing

The COGFA filing purports to show a drop off in ATC population. But it is DOC that caused that drop off. Courts do not place inmates in ATCs. DOC prison-based counselors recommend inmates for placement, and then DOC central office makes the final decision on who is appropriate for placement. The sharp fall off in ATC population from July to October was not due to any declining trend in incarceration in that three month period. By DOC's own admission in the COGFA filing, the prison population is stable, and "if more offenders are sentenced to prison, then the population will increase."

My name is Lavond Borders and I am a Corrections Residence Counselor at Jessie "Ma" Houston ATC. We need ATCs if we are going to reduce our recidivism rate in Illinois, and we need an ATC in the Southland.

When a person comes out of prison they are scared. They are coming out of a very structured environment, and they don't know how to do a lot of things. They don't know how to get their state ID. They don't know how to get decent housing. They don't know how to get a job. Then they've been away from their families, and they don't now how to reconnect with their spouse or their kids. The ATC program shows them how to do all those things before they get out. We build a foundation for them, so they feel supported when they leave.

For some of these men, hustling and street life is all they know. They don't know how to live a lifestyle that's not related to the criminal element. If they leave prison and go right back on the street, going back to their old life is the easiest thing. And then our communities pay the price.

But if they go through our facility first, before they hit the street, they get a taste of what I call the natural life. We connect them to jobs, and for some it's the first real job they held in their lives. Then we help them to budget their earnings, including paying a percentage of their earnings as rent to the state. We get them in school, which is anything from GED to college. We give them classes in parenting, anger management, relationship building, and substance abuse counseling.

The men do most of these things outside the facility, working at a construction site or in a fast food restaurant, or going to a community college. They are still in a structured environment, we monitor their whereabouts, but they get to ease back into society. We assist them before they go out on parole. We teach them to make good decisions, before they return to the community.

Our facility was named for Jesse "Ma" Houston, who fought for inmate rights. Her son died in prison, so she devoted her life to visiting inmates and lifting them up, encouraging them to straighten out their lives. That is a beautiful legacy, and this facility has lived up to her legacy by helping the inmates, their families and our communities. We want this facility to stay open, but if the problems with the building are so bad, then DOC should open another Jessie "Ma" Houston ATC site on the Southside or in the South suburbs. Let her legacy live on.

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The sharp three-month drop in ATC population was clearly the result of a DOC decision to reduce placements—a decision which stands in stark contrast to Director Randle’s stated goal of improving prisoner reentry through, among other means, the use of ATCs.

No one would suggest that investing more money in the current facility in Dixmoor, which is badly run-down, makes sense. But neither can anyone argue that we will improve inmates’ reentry into society without a strong ATC system. Instead of simply closing the Jessie Ma Houston beds, AFSCME believes these 200 beds and its successful program should be relocated to another site.

**Kankakee MSU:** Closing this facility is a disservice to women in Illinois who are sentenced to non-violent crimes and are considered to be low security risks. They will all now serve their sentences among more serious and violent offenders, as KMSU is the only minimum security prison for women in the state.

As with the Jessie Ma Houston filing, the materials DOC filed with COGFA regarding this closure are confusing. DOC claims the female population in FY 09 was between 2,700 and 2,800 inmates, whereas now it is only some 2,500. In fact, DOC’s quarterly report to the legislature shows the female population has held steady at about 2,600 inmates for the past three years, and in October – according to data provided in the filing – was slightly higher than it was in July.

And again, DOC provides misleading data on system capacity. By counting how many beds are crammed into a prison, instead of counting how many inmates it was designed to hold, DOC claims to COGFA that there is plenty of capacity. But DOC’s most recent quarterly report to the legislature shows that, on the contrary, female facilities were on average operating at 33% **overcapacity**. Losing these beds will mean more overcrowding. So contrary to that COGFA filing, KMSU is needed now, and will continue to be needed in the future.

One final piece of information that we asked for should be noted for its absence. We asked DOC to tell us how many inmates will be sent to each of the three facilities they state will be used to house KMSU inmates – Decatur and Lincoln, which are medium security, and Dwight, which is maximum security. They still have not answered this question. What DOC did say is that inmates will also be given the opportunity to go to Fox Valley ATC. However, that facility has been consistently operating at 20% overcapacity for the last three years.

What is worse, DOC states outright that there will be no additional staff added to improve program capacity at the receiving facilities. Allowing a few inmates to go to Fox Valley, or crowding them into already overcrowded, higher security facilities are clearly not solutions for low-level female offenders. DOC should keep Kankakee MSU open, and restore programming cut from the facility in previous years. That is the kind of investment the Department has talked about making in inmate rehabilitation, and we want to see it in action.

Today I have with me some employees from these facilities who will explain the important role that they play and share some specifics with you about why these facilities are needed.

My name is Sandra Boeckmann. I've worked for the Department of Corrections for over 15 years, for the last 8 as a Counselor at Kankakee Minimum Security Unit. At KMSU we are a community that works toward a greater good. KMSU is designed to reintegrate women into the community.

I know the Department has said that they will have jobs available for staff at KMSU. But they aren't saying there will be another minimum security facility for our female inmates, because there won't be. The women will be going to a maximum or medium facility. The women at KMSU and all future inmates classified as minimum security risk are going to be hurt by this closure.

I've worked at other DOC facilities, and I've talked to inmates who've done time at the places DOC plans to send the KMSU inmates. Those places don't have the same environment at all. Some of our DOC facilities are pretty rough places because of the number and type of inmates they keep.

KMSU is a much more open place, and with that open environment comes a different attitude from inmates and even staff. Our inmates don't have the same hostility toward each other, or the same guardedness toward staff.

Being a small facility the inmates get a lot of one-on-one attention from staff. I know the women in my caseload and I see them pretty much every day. At a large facility you might see your counselor only once a month. At KMSU the women are not just a number, and that makes it more likely we can turn them around. Some of the service providers who work with our women have commented to me that they are easier to help because they don't have a wall up around them like inmates at other prisons.

What's it like in a larger, more secure facility? One of our inmates who transferred from Decatur, a medium security facility, told me they issue the inmates their own roll of toilet paper every few days. The woman said you have to put your name on your toilet paper and guard it or another inmate might take it and you won't get another one to replace it. That seems like a small thing, but it's part of a mindset where everybody has to look out for themselves or somebody might take advantage.

We're not like that at KMSU. Everybody's got access to the toilet paper; you take what you need. The inmates don't have to fight each other for it. We can do that because we have only minimum security inmates who are not as dangerous, and they are in with other women like them.

When you have minimum security inmates who are in for crimes like writing bad checks and retail theft, and you put them in with more dangerous inmates who've done more serious crimes like murder and armed robbery, you have to be more secure. And it also means that the inmates in for the less serious crimes might spend their time learning to be a better criminal, instead of turning their lives around.

I've heard back from inmates we've helped. One woman called to tell me that KMSU saved her life. She said now she's a different person than the addict she was then. She is going to school, she's got her kids back, and she's doing fantastic. I remember another inmate was fighting to retain custody of her kids. Their father in another state wanted to take them while she was incarcerated, although her current husband was bringing the kids to KMSU for regular visits. We arranged for the social worker on the case to come observe a visit at our center, and she agreed the atmosphere was completely non-threatening for the kids. The inmate retained custody.

I calculate the numbers every month, and I can tell you that over 80% of KMSU women are mothers. Family visits are very important, both for the inmate and the family, especially if there are kids. If you have a young child, you can't keep a bond over the phone. We are the closest female facility to Cook County, and for poor families without reliable transportation that proximity makes a big difference. And it's a lot more intimidating for kids and unpleasant for families to walk into a higher security facility. A woman on my caseload was previously incarcerated at Decatur, where she saw her daughter only once. Now she has visits twice a month. That has made a world of difference in her relationship with her daughter.

At KMSU we've suffered from program cuts like a lot of the other prisons. But we still have our Adult Basic Education and GED classes. The Wells Center offers substance abuse counseling to our inmates. And we provide parenting classes.

I understand KMSU was first created when inmate advocates sued the state to get women prisoners the right to do their time in a low security setting with more programs. Kankakee MSU was worth fighting for then, and it's worth fighting for now.

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My name is Cheryl O'Brien and I have been an Educator at Kankakee MSU for over 9 years. I want to talk about why DOC needs a minimum security facility for women.

KMSU was established as the result of a lawsuit known as Moorhead v. McGinnis. Inmate advocates sued the state to force DOC to open a minimum security facility to give women the greater freedom and access to programs that male DOC inmates in minimum security facilities have. There was a consent decree signed in 1991 that states: "Defendants (that's DOC) shall, by no later than Sept. 30, 1993, designate at least one facility with at least a 200 bed capacity for female inmates which is classified as minimum security."

Illinois needed a minimum security facility then, and we still need one now.

None of the other female correctional facilities are minimum security. Dwight is maximum, Decatur and Lincoln are medium, and Fox Valley is an ATC. DOC is saying our inmates will go to Dwight, Lincoln and Decatur, which means they will all go to more secure facilities.

Kankakee MSU looks completely different from even a medium security prison. It is an atmosphere conducive to family visits and self-improvement, which is what women sentenced to relatively minor crimes and showing good behavior are entitled to. There are no fences. Women sleep two to a room instead of in large dorms or cells. We have an open visiting policy. And because we are small, we know our women and are able to move them forward, and that is what changes lives.

I have a student who just got her GED. She failed the test twice, but I kept on her. Now she is going home a changed person. When she's asked on a job application if she has her high school diploma she can say, "Yes." She'll have more opportunities because she was in a place where she wasn't a number.

The women at Kankakee are low level offenders. They made bad choices. We all make bad choices, though some worse than others. Our mission at DOC is supposed to be punishment and reform. But DOC is talking about sending these women to Dwight, which is maximum security. These low level offenders will be swallowed up at Dwight.

I understand there are now women sitting in intake for two months or more, waiting for a medium security bed. They could work with our program, but DOC seems to be classifying more and more inmates as medium security. We had an inmate in previously at Kankakee MSU who came back into the system. She was classified as medium security this time around, supposedly because she has a previous arrest for arson. That doesn't make any sense. It was an arrest, not a conviction. It was a one-time offense, not a pattern. It occurred when she was a juvenile. And it was on her record the last time she was in. Then it didn't matter and she was classified as minimum. Now it's convenient to call her more of a threat. That means she is in with more hard core offenders, instead of in a place that could make a difference.

KMSU is an asset to a system that wants to make a difference. If DOC wants to get rid of KMSU, what does that say about our state's commitment to offering these women, their families and their communities, another chance?

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